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Attorneys for Defendants  
Northern Trust Corporation, Northern Trust, N.A.  
(formerly known as Northern Trust Bank of California N.A.)  
and Northern Trust Securities, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NOEL LEE,

Plaintiff,

v.

NORTHERN TRUST CORPORATION, a  
Delaware Corporation; NORTHERN  
TRUST BANK OF CALIFORNIA N.A., a  
nationally chartered commercial bank;  
NORTHERN TRUST SECURITIES, INC.,  
a Delaware Corporation,

Defendant.

Case No. CV-09-3716

**STIPULATION AND ~~PROPOSED~~  
ORDER FOR RELIEF FROM THE CASE  
MANAGEMENT SCHEDULE**

Complaint Filed: August 12, 2009  
CMC Date: November 20, 2009

Dept.: Courtroom A, 15th Floor  
Judge: The Honorable Joseph C. Spero

Plaintiff NOEL LEE ("Plaintiff") and Defendants NORTHERN TRUST  
CORPORATION, NORTHERN TRUST, N.A. (formerly known as and successor in interest to  
NORTHERN TRUST BANK OF CALIFORNIA, N.A.), and NORTHERN TRUST  
SECURITIES, INC. ("Defendants"), by and through their attorneys of record, hereby stipulate as  
follows:

1 WHEREAS, Plaintiff filed the Complaint in the above-captioned action on August 12,  
2 2009;

3 WHEREAS, by Order dated October 15, 2009, the Court approved the parties' stipulation  
4 extending Defendants' deadline for filing a responsive pleading to November 2, 2009;

5 WHEREAS, the parties have agreed to stipulate to an additional one-week extension of  
6 the Defendants' deadline for filing a responsive pleading to November 9, 2009;

7 WHEREAS, Defendants have advised Plaintiff that on November 9, 2009, they intend to  
8 file a motion to stay the proceedings and to compel arbitration with respect to Defendant Northern  
9 Trust Securities Inc., and to stay the proceedings with respect to Defendants Northern Trust  
10 Corporation and Northern Trust, NA;

11 WHEREAS, the parties are in agreement that relief from the case management schedule is  
12 warranted because the earliest date on which Defendants' motions may be heard is Friday,  
13 December 11, 2009, and the Case Management Conference in this action is currently scheduled  
14 for Friday, November 20, 2009. A ruling by the Court in favor of Defendants on one or both of  
15 their motions may substantially impact any case management schedule or discovery plan.

16 THEREFORE, THE PARTIES STIPULATE AND REQUEST THE ENTRY OF AN  
17 ORDER AS FOLLOWS:

18 1. The parties have agreed and hereby stipulate that Defendants may have until  
19 November 9, 2009, to file a responsive pleading. This is the second extension of time granted to  
20 Defendants.

21 2. All case management deadlines shall be extended until after the hearing on  
22 Defendants' motions to stay and/or to compel arbitration, to be filed on November 9, 2009 (the  
23 "November 9 Motions").

24 3. To the extent that the November 9 Motions are denied as to any Defendant, that  
25 Defendant shall have 20 days after the entry of any order denying the November 9 Motions to file  
26 a responsive pleading.

27 4. Within 30 days after the entry of the Court's order regarding the November 9  
28 Motions, any Defendant with respect to whom Plaintiff's claims are not stayed and/or compelled

1 to arbitration shall meet and confer with Plaintiff regarding initial disclosures, early settlement,  
2 ADR process selection, and discovery plan. By the same date, the parties shall meet and confer  
3 and contact the Court regarding the setting of a Case Management Conference if a date for a Case  
4 Management Conference is not previously set by the Court.

5 5. The parties shall file their Rule 26(f) Report, complete initial disclosures, and file a  
6 Case Management Statement at least 7 days before the date of the Case Management Conference.

7 Dated: October 30, 2009

FOLGER LEVIN & KAHN LLP

8  
9 By: /s/ Jiyun Cameron Lee  
Attorneys for Defendants  
10 Northern Trust Corporation, Northern  
11 Trust Bank of California, N.A., and  
Northern Trust Securities, Inc.

12 Dated: October 30, 2009

CARROLL, BURDICK & MCDONOUGH LLP

13  
14 By: /s/ Erik Morrison  
Attorneys for Plaintiff  
15 NOEL LEE  
16

17 Pursuant to General Order 45(X), I hereby attest that the signatories above have concurred  
18 in the filing of this document.

19 /s/ Jiyun Cameron Lee

20  
21 **ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23  
24 Dated: 11/02, 2009

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